



NAILAH K. BYRD
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Court of Common Pleas

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Confirmation Nbr. 3942663

L.G. ON BEHALF OF HER MINOR CHILD, CHILD 1

CV 26 144419

vs.

CITY OF PARMA, ET AL.

Judge: MOLLIE ANN MURPHY

Pages Filed: 49

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

L.G. ON BEHALF OF HER MINOR CHILD,

CHILD 1

c/o The Chandra Law Firm LLC
1265 W. 6th Street, Suite 400
Cleveland, OH 44113-1326

Plaintiff,

v.

CITY OF PARMA

6611 Ridge Rd.
Parma, OH 44129

MICHAEL FRINZL

IN HIS OFFICIAL AND PERSONAL CAPACITIES

c/o City of Parma
6611 Ridge Rd.
Parma, OH 44129

OLIVIA BARTULOVIC

IN HER OFFICIAL AND PERSONAL CAPACITIES

c/o City of Parma
6611 Ridge Rd.
Parma, OH 44129

and

RYAN SOPKO

IN HIS OFFICIAL AND PERSONAL CAPACITIES

c/o City of Parma
6611 Ridge Rd.
Parma, OH 44129

Defendants.

Case No. _____

Judge _____

COMPLAINT WITH JURY DEMAND

NATURE OF THE ACTION

1. This is a civil-rights action brought by Plaintiff L.G. on behalf of her minor child, Child 1, under 42 U.S.C. § 1983, with state-law claims under R.C. 2307.60 (civil liability for criminal acts—including failure to report a crime, falsification, tampering with evidence, interfering with civil rights, endangering children, felonious assault, and assault), and for civil assault, civil battery, and intentional infliction of emotional distress.

2. On August 13, 2025, Parma police responded to a city park after a resident reported Child 1 (then age 13), his brother, and their friend for horseplaying. When the police arrived, they separated the children, called their parents, and asked them to pick the boys up and take them home.

3. After Child 1's mother arrived and was talking to police through the driver's-side window of her van, Child 1 tossed a stick at the car's hatchback. *See* body-camera footage, filed manually as Ex. 1, at 1:58.

4. Parma police officers Olivia Bartulovic and Dale Calta, disproportionately incensed at the boy's actions, chased him down and brought him to the ground. *Id.* at 1:58-2:08. They aggressively handcuffed him and put him in a police cruiser, where he panicked about the arrest and asked for his mom.

5. When the officers arrived at the police station, Officers Bartulovic and Michael Frinzl ripped Child 1 out of the vehicle, cursing at him. Bartulovic and Frinzl paraded him across the police-department lawn, wrenching his arms behind his back at a 90-degree angle, and smashed Child 1's face against a rough stone wall, rubbing it in. *Id.* at 5:28.

6. They, along with Officer Ryan Sopko, then lifted him using his arms handcuffed behind his back and his feet, suspending his entire weight from his aching, wrenched-back

shoulders. The trio carried the child into the police department as he screamed in pain. *Id.* at 5:52-6:18.

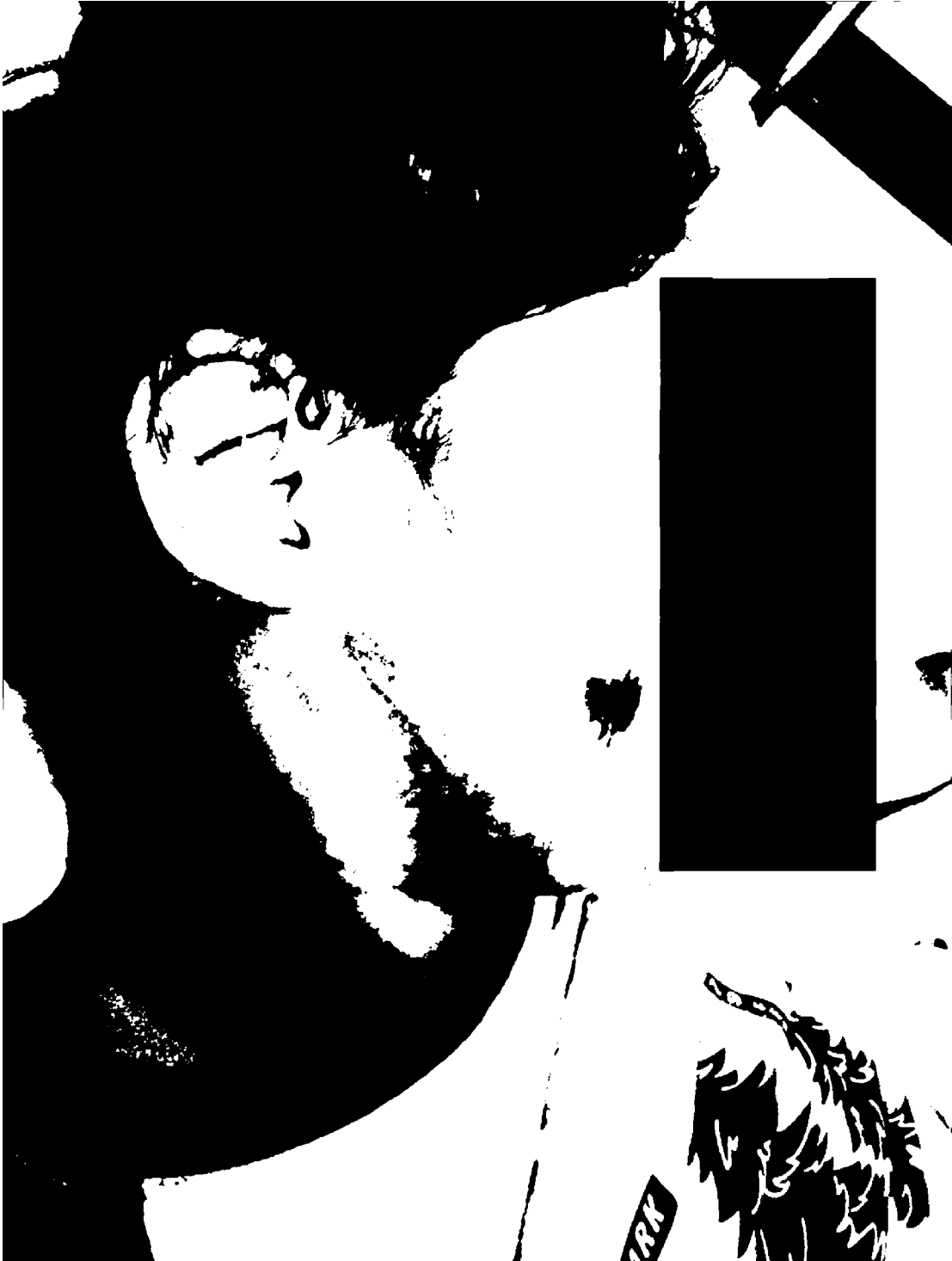
7. Later, Officer Frinzl, in retaliation for Child 1's speech, pushed Child 1 over a bench and into a wall, further injuring him. *Id.* at 7:11.

8. Child 1 weighed only 70 pounds.

9. Officers later took Child 1 to a local hospital for treatment without notifying his mother about his injuries.

10. To this day, Child 1 bears the scars of this act of police brutality, both physically and emotionally. He went from a student with good grades who happily participated in multiple sports and after-school activities to a sullen, withdrawn child who spends his days depressed and staring at the wall. He's afraid to leave his home in case he runs into the Parma police again.

11. This is the latest act of brutality in Parma Police Department's long history of using excessive force on citizens. The department has a custom, policy, practice, or usage of using excessive force, especially against residents whose speech its officers don't like.



PARTIES

12. Plaintiff Child 1, a minor at the time of filing, resides with his mother in Parma in Cuyahoga County, Ohio.

13. L.G. is Child 1's mother. She resides in Parma in Cuyahoga County, Ohio.
14. Defendant City of Parma is in Cuyahoga County, Ohio.
15. Defendant Michael Frinzl is a Parma police officer. He lives in Parma Heights in Cuyahoga County, Ohio.
16. Defendant Olivia Bartulovic is a Parma police officer. She lives in Hudson in Summit County, Ohio.
17. Defendant Ryan Sopko is a Parma police officer. He lives in Parma Heights in Cuyahoga County, Ohio.

JURISDICTION AND VENUE

18. This Court has subject-matter jurisdiction over the state-law claims against Defendants. The claims are statutory claims under Ohio law. The amount in controversy exceeds \$25,000.
19. This Court has personal jurisdiction because the city is in Cuyahoga County, all Defendants conduct business in Cuyahoga County, and Child 1's claims for relief arose there.
20. Venue is proper because Defendants do business or live in Cuyahoga County and because the events at issue took place there.

FACTUAL BACKGROUND

Parma Police officers are called to a local park over a squabble among Child 1, his brother, and their friend.

21. On August 13, 2025, Parma Police officers were called to Walters Grove Park in Parma after a resident reported that then 13-year-old Child 1, his brother, and their friend—all 13-year-old boys—were horsing around at the park.
22. The boys all came to the park together earlier in the day. They got into a

disagreement, the friend threw a stick at Child 1's brother, and the interaction escalated into a brawl between the friend and the brother. Child 1 jumped in to help his brother after the friend tackled him to the ground.

23. Once police arrived, the following events were caught on body camera. A reel of the relevant moments is filed manually as Ex. 1.

24. When police arrived, they separated the boys. Officer Olivia Bartulovic and Officer Dale Calta asked Child 1 and his brother what happened. The pair explained that the friend threw a stick at the brother, and the pair started fighting.

25. In a different part of the park, Officer Xavier Pedro asked the friend what happened. The friend explained that Child 1's brother was irritating him, so they got into a fight. Child 1 tried to help his brother.

26. Once they finished relaying what happened, Child 1 and his brother calmly waited for their mom to arrive. When L.G. pulled up, Child 1 and his brother walked over to her van.

27. Officer Bartulovic and Officer Calta stood at L.G.'s window as Child 1 explained to her what happened. Child 1 told her and the officers that the friend started the brawl by throwing a stick at the brother. L.G. explained to the officers that the children were friends, and that she had just been on her way to pick the three of them up and take them back to her home.

28. L.G. tried to talk to her sons about not fighting with friends and about disengaging instead. Frustrated, Child 1 walked to the back of his mother's van and tossed a stick at the back hatch door. *Id.* at 1:58.

29. Officer Bartulovic and Officer Calta were at the front of the vehicle. They were nowhere near the stick when Child 1 tossed it.



30. Officer Calta yelled, "Hey! Get your little ass over here right now!" Calta and Bartulovic chased Child 1 across a nearby backyard. Officer Bartulovic yelled, "We don't fucking do that!" *Id.* at 1:59-2:06.

31. Officer Calta yelled, "Fucking stop or you'll get tazed!"

32. Officer Calta pushed Child 1 to the ground, and the pair roughly handcuffed him. Officer Calta said, "What the hell is wrong with you." *Id.* at 2:16.

33. Child 1 said that he didn't do anything wrong. Officer Bartulovic lied, saying that Child 1 threw a stick at the officers. *Id.* at 2:20. But the officers were standing at the front of the van when Child 1 tossed the stick at the hatch. Child 1 did not throw the stick in their vicinity.

34. Child 1 screamed that the officers were lying. *Id.* at 2:24.

35. He was right.

36. As the officers carried Child 1 back toward his mother's car, his older brother said that the stick hit the car, not the officers.

37. Officer Calta, lying for the benefit of the body camera, yelled back, “He hit the car and the stick hit us.” *Id.* at 2:41.

38. Child 1 pleaded for the officers to get off him because he did nothing wrong. Bartulovic and Calta put Child 1 in the back of a police cruiser and shut the door.

39. Officer Bartulovic walked back to L.G. and told her that Child 1 would have to go to the police station “no matter what.” As Bartulovic walked back to her cruiser, she yelled at Child 1’s brother, “Don’t run your fucking mouth.” *Id.* at 3:20.

40. Officer Calta asked L.G. if she wanted to press any charges related to her car, an absurd question to ask of the mother of a 13-year-old under the circumstances. L.G. said no. Officer Calta explained that they would still arrest Child 1 on charges of obstruction.

41. L.G. explained that Child 1 was not trying to hit the officers. Officer Calta **acknowledged that he understood that was the case.** But he doubled down on the arrest: “You can’t be doing that and then you can’t run like he did,” Calta said.

42. Officers Pedro and Calta agreed that the boys all engaged in the fighting, calling them “mutual combatants.” None of the boys were charged in connection with the fight. *Id.* at 4:02.

43. Still, Calta and Officer Bartulovic decided to take Child 1 to the Parma police station solely because he tossed a stick at his mother’s car.

44. As Office Pedro returned to Child 1’s friend to wait for the friend’s dad to arrive, he stopped by the patrol car in which Child 1 was locked and said, “I hope you end up at juvie, man.” *Id.* at 3:47.

45. Officer Bartulovic got into the car and drove Child 1 without a seatbelt to the Parma police station.

46. Panicked, Child 1 pleaded to be let out of the cruiser and called for his mom to help him. He was inconsolable the entire ride to the station.

Parma police officers brutalize Child 1 at the Parma police station.

47. Once they arrived, Officers Ryan Sopko and Michael Frinzl met Officer Bartulovic at her cruiser. When Bartulovic opened the door, Frinzl laughed at Child 1.

48. Officer Bartulovic reached for Child 1, and he told her not to touch him. “Perfect,” she replied, “He’ll rip you out.” Officer Frinzl opened the opposite door and pulled Child 1 roughly out of the car. *Id.* at 5:07.

49. “Get your little ass out here, you dumb fuck,” Frinzl said. He pushed Child 1 into the side of the cruiser and then led him toward the police station. *Id.* at 5:07-5:11.

50. Frinzl called Child 1, “you little bitch.” *Id.* at 5:12.

51. Officer Frinzl lifted Child 1’s handcuffed arms up behind him, twisting his shoulder backward to a 90-degree angle. Child 1 screamed in pain. He begged for Frinzl to stop and tried to wriggle away to lessen the tension on his shoulders. *Id.* at 5:12-5:22.



52. Officer Frinzl dragged Child 1 across a small, gravel area, ducked under some police tape and, with Officer Bartulovic's help, smashed Child 1's face into a rough, stone wall, scraping it downward. *Id.* at 5:02.

53. Child 1 screamed, "Ow! My face!"

54. Multiple videos show Officers Barulovic and Frinzl dragging Child 1's face across the rough stone needlessly for seconds before picking him up.





55. Officers Frinzi and Bartulovic held up Child 1 by his still-handcuffed arms, and Officer Sopko picked up Child 1's feet. Suspending Child 1 in the air by his arms, twisted behind his back, and his feet, the Parma officers carried him into the police station as he howled in pain. *Id.* at 5:47-6:17.



56. "Please stop hurting me bad!" Child 1 pleaded and screamed. "I'll do anything. This hurts really bad! Please!"

57. Officer Frinzi replied, "No shit, dumb ass."



58. As the officers pinned him to the floor in the police station and took off his handcuffs, Child 1 asked, “Where’s my mom?” Child 1 was bleeding. *Id.* at 6:57.

59. Officer Frinzl pointed a finger in Child 1’s face and said, “Shut the fuck up.”

60. Officer Sopko removed Child 1’s handcuffs, Child 1 told Officer Frinzl to get off him. Officer Frinzl repeated, “Shut the fuck up.” *Id.* at 7:08.

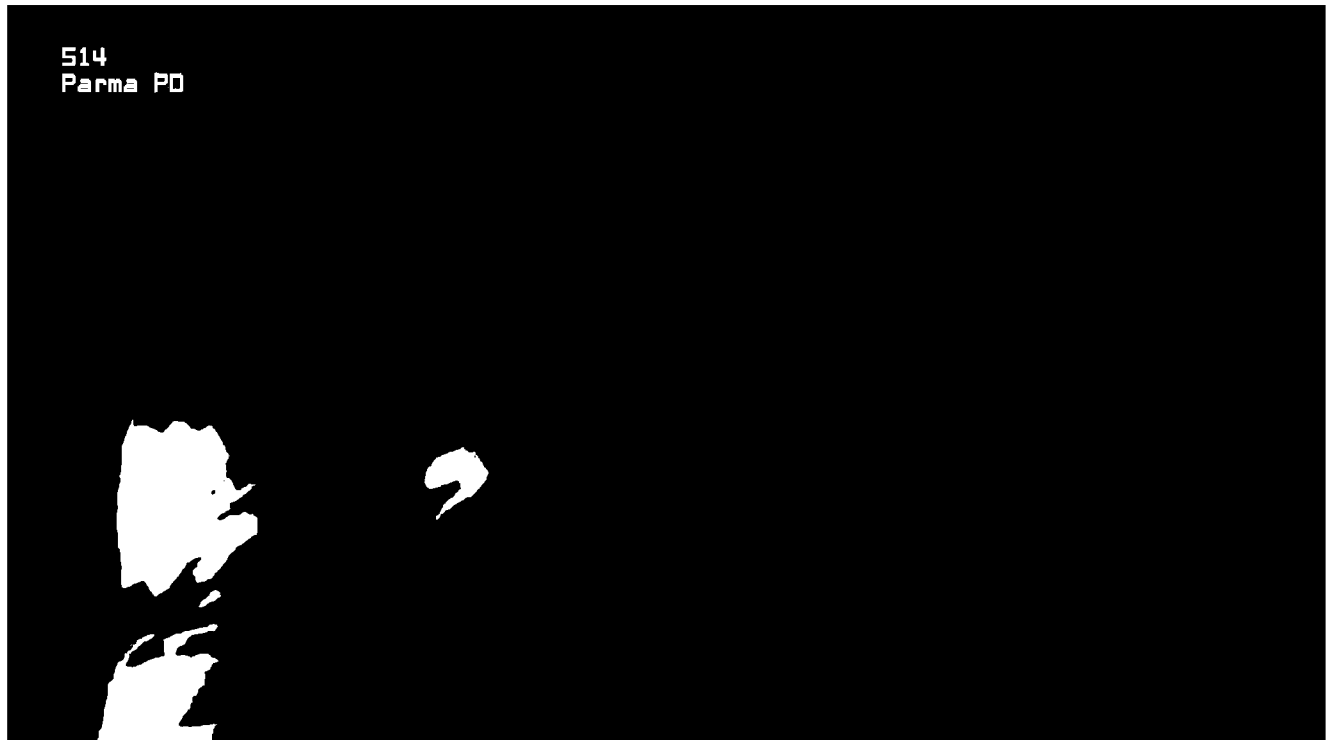
61. Child 1 replied, “Make me bitch. You a ho.” *Id.* at 7:09.

62. Incensed, Officer Frinzl replied, “What?”

63. Child 1 repeated, “You a ho.”

64. In retaliation for Child 1’s speech, Officer Frinzl replied, “Or what?” and pushed Child 1 backward over a bench and into a wall. *Id.* at 7:11.





65. Child 1 engaged in protected speech and Officer Frinzl retaliated against him for it.

66. It is a matter of clearly established law that “the First Amendment requires that police officers tolerate coarse criticism.” *Kennedy v. Villa Hills*, 635 F.3d 210, 219 (6th Cir. 2011). “[P]olice officers may not exercise their authority for personal motives, particularly in response to real or perceived slights to their dignity.” *Bloch v. Ribar*, 156 F.3d 673, 682 (6th Cir. 1998). “[T]he First Amendment protects a significant amount of verbal criticism and challenge directed at police officers,” which is protected even if it is “provocative and challenging.” *Terminiello v. Chicago*, 337 U.S. 1, 4 (1949).

67. After this assault, Child 1 screamed again in pain. As Officer Frinzl yelled at him to stop, Child 1 said, “I have a concussion.” *Id.* at 7:19.

68. Child 1 asked where his mom was.

69. Officers Frinzl, Bartulovic, and Sopko turned off their body cameras, even though they continued to interact with Child 1.

70. Child 1, in a panic, sat on the bench as far as he could from Officer Frinzl. He put his head against the wall and asked again for his mom and to go home.

71. When officers left the room, he continued to ask for his mom.

72. After pushing him and dragging his face into a wall, the officers came back in and handcuffed Child 1 to a chair. Child 1 cried and asked for his mom as they cuffed him again. *Id.* at 7:37.

73. Officers Bartulovic and Frinzl told Child 1 they would take him to the hospital. Bartulovic claimed that Child 1 said he wanted to kill himself while he was handcuffed in the back of her car. Child 1 denied he said that.

74. He started hyperventilating and asking to go home. Again, he asked for his mom.

75. Officer Frinzl asked Child 1, "Why do you think it's OK to act like this?" *Id.* at 7:45.

76. Child 1 replied that he didn't do anything to the officers and they handcuffed him for no reason.

77. Knowing that he had engaged in excessive and unnecessary force, Officer Frinzl lied for the benefit of the recording and said that Child 1 "kicked me in the balls like eight times." *Id.* at 7:53. No body-camera footage shows Child 1 kicking Officer Frinzl in the testicles. Officer Frinzl lied to attempt to justify his use of unlawful force on a 13-year-old child.

78. Frinzl smiled for the camera:



79. After an ambulance arrived to take Child 1 to University Hospital's Parma Medical Center, officers uncuffed him to walk with the EMTs. Child 1 again asked for his mom.

80. One officer told another that Child 1's parents had been advised that he was going to the hospital.

81. That was not true. Parma police officers never contacted L.G. about her son going to the hospital. She didn't find out until hospital staff called her to tell her Child 1 was getting treatment.

82. The EMT said that police told him that Child 1 threatened to hurt himself. Child 1 told him that was a lie.

83. Once he arrived at the ambulance, officers handcuffed him to the cot. Officer Frinzl said, "All right, little boy. Get your ass up there."

84. EMTs took Child 1 to Parma Medical Center, where L.G. finally got to see her son.

85. When L.G. asked Officer Frinzi what happened to Child 1's face, Frinzi laughed and told her, "It's on bodycam."

86. Frinzi thought his violence was funny.

87. Officers released Child 1 to the care of the hospital after L.G. arrived.

88. Doctors at the Parma Medical Center treated the cuts on Child 1's face and released him to his mom.

The Parma police officers' barbaric behavior haunts Child 1, causing extreme emotional distress

89. To this day, Child 1 has scarring on his face from the injuries Officer's Bartulovic and Frinzi inflicted. This has resulted in loss of his self-esteem.

90. Child 1 has also suffered extreme emotional distress related to the incident. Once a social, outgoing boy who loved to play sports with his friends, Child 1 spent the last year since the assault sitting in his room and staring listlessly at the wall. He quit all his extracurricular activities and had to seek more mental-health treatment. He was diagnosed with anxiety, depression, and post-traumatic stress disorder (PTSD).

91. Child 1 was so scared of running into Parma police that his parents sent him out-of-state to visit his sister for the summer of 2026.



Child 1 is prosecuted for assaulting the very officers who assaulted *him*.

92. Parma police ultimately charged Child 1 with two counts of assault on Officers Frinzi and Bartulovic, resisting arrest, criminal damaging, and obstructing official business.

93. On April 3, 2026, a Cuyahoga County Court of Common Pleas Juvenile Division magistrate judge dismissed the case against Child 1 with prejudice. The judge also ordered that

Child 1's records be sealed.

94. To this day, the City of Parma has not disciplined Officers Sopko, Bartulovic, or Frinzi. Police Chief Kevin Riley placed Officer Frinzi on paid administrative leave on Friday, May 29, 2026, "pending an investigation into an incident that occurred on August 13, 2025 in the juvenile holding room." Kevin Riley, letter, May 29, 2026, attached as Ex. 2.

95. That only occurred because of a media inquiry. Otherwise, Parma would have done nothing despite so many people knowing of the misconduct.

96. And in response to a spring 2026 media public-records request, the City improperly redacted the officers' faces, to hide the incident from scrutiny and avoid accountability.

97. Parma did not place Officers Sopko and Bartulovic on administrative leave.

Parma has a long history of using excessive force on arrestees—particularly on those who criticize its officers.

98. The City of Parma has a custom, policy, practice, or usage of using excessive force against citizens, especially those who question their police officers' authority.

99. This pattern or practice is demonstrated, in part, by a long series of cases filed in federal court against the city and its law-enforcement officers:

- *Mintina v. City of Parma, et al.*, No. 1:22-cv-01216. After doing a peaceful custody exchange at the Parma police station, Parma police officers tackled Mintina to the ground and twisted her arms and wrists. They brought her into an interrogation room, where they groped her and slammed her against a wall. The only accusation officers made against Mintina before assaulting her was that she wasn't allowed to video her custody exchange.
- *Damra, et al. v. Cornachio, et al.*, 1:00-cv-03009-LW. Parma police officers pulled the plaintiffs over for a traffic stop with guns drawn, pulled them from the car without communicating, and threw them on the ground. Officers then kicked, punched, and stomped them.

- *McGrath v. Farinacci, et al.*, 1:06-cv-00578-DAP. Parma officers went to plaintiff's home to serve a misdemeanor traffic warrant on his brother. Parma officers forced their way into plaintiff's home. Plaintiff put his hands in the air to surrender, but officers threw him to the ground and beat him, giving him a concussion, facial swelling, a broken nose, bleeding, and bruising.
- *Franz, et al. v. City of Parma, et al.*, 1:08-cv-00177-JG. Parma police pulled plaintiff over for failing to use a turn signal. Officers ordered plaintiff out of the car for asking for a badge number, threw him to the ground, and arrested him. Officers also arrested the passenger for screaming for help.
- *Rababy v. City of Parma, et al.*, 1:08-cv-02422-DAP. Parma police were called to an argument between an elderly man and his adult daughter-in-law. Parma police handcuffed him, then threw him to the floor. Later, they pushed him face first through two sets of doors. The plaintiff suffered a broken nose, broken ribs, a concussion, and bruised wrists.
- *Block v. City of Parma, et al.*, 1:11-cv-00001-LW. The plaintiff was a 13-year-old girl who stopped on her way home to watch other kids fight. Parma police lifted her off the ground, slammed her down, and sat on her back. They then, arrested her. While taking her to the police cruiser, they smashed her head against it.
- *Zaccardelli v. Schuld, et al.*, 1:13-cv-02423-SO. The plaintiff was pulled out of his car and thrown to the ground. Officers kicked and punched him, fracturing his skull, face, and ribs.
- *Faiken v. City of Parma, et al.*, 1:04-cv-00293-JMM. The plaintiff was a security employee at a bowling alley who escorted a patron out. Parma police violently tackled him and threw him to the ground, beating, kicking, and punching him.
- *Purnell, et al. v. City of Parma, et al.*, 1:03-cv-02595-LW. The plaintiff walked his dog outside Parma Police Department. Officers confiscated his dogs, used excessive force against the plaintiff, and then arrested him.
- *Petry v. City of Parma, et al.*, 1:13-cv-01667-LW. EMS responded after the plaintiff had a seizure in his home. Parma police tased the plaintiff multiple times and arrested him.
- *Slupski v. Dobeck, et al.*, 1:08-cv-00813-SO. Parma police went to the plaintiff's home for a 9-1-1 hang up. The plaintiff told them no one called 9-1-1. Parma police demanded to see his ID, snatched it from him, and then arrested him for asking a question.
- *Bartkiewicz v. City of Parma, et al.*, 1:16-cv-00995-DAP. Parma Police tackled

and threw to the ground a plaintiff with known mental-health issues even though he was complying with officers' requests.

100. And a qualified immunity defense isn't available to Officers Bartulovic, Frinzi, and Sopko.

101. It is clearly established law in the Sixth Circuit that "use of force after a suspect has been incapacitated or neutralized is excessive as a matter of law." *Baker v. City of Hamilton*, 471 F.3d 601, 607–08 (6th Cir. 2006). Indeed "[g]ratuitous violence' inflicted upon an incapacitated detainee constitutes an excessive use of force, even when the injuries are not substantial." *Morrison v. Bd. of Trs. of Green Tp.*, 583 F.3d 394, 407 (6th Cir. 2009) (*quoting Pigram ex rel. Pigram v. Chaudoin*, 199 F. App'x 509, 513 (6th Cir. 2006)).

102. In *Morrison*, the Sixth Circuit held that an officer violated clearly established law when he pushed a handcuffed detainee's face into the ground. *Morrison*, 583 F.3d at 408. There, officers responded to a home after a 19-year-old girl threatened to kill herself. *Id.* at 397. The officers told the girl she would have to go with them to a local hospital, and she allegedly ran from them. *Id.* at 398. Officers tackled her from behind, pinning her to the ground. *Id.* Officers pushed her face into the ground every time she tried to talk. *Id.* This, the court held, constituted use of excessive force in violation of the girl's constitutional rights. *Id.* at 408.

103. Similarly, in *Ruemenapp v. Oscoda Township*, the Sixth Circuit held that officers who pushed an arrestee Ruemenapp's face into a wall, scraping his face, "should have understood that the aggressive actions they took would violate a clearly established right." *Ruemenapp v. Oscoda Twp.*, 739 F. App'x 804, 814 (6th Cir. 2018). In that case, officers were called to a heated, but nonviolent, landlord-tenant dispute. *Id.* at 806. Officers pushed Ruemenapp into a wall to handcuff him. *Id.* Ruemenapp got cuts on his face from scraping

against the wall. *Id.*

104. Because Child 1 was handcuffed and in police custody, he was incapacitated or neutralized when Officers Frinzi and Bartulovic smashed his face into the wall. And he was incapacitated or neutralized when all three officers lifted him off the ground, suspending him from his wrenched shoulders.

105. Like Ruemenapp and Morrison, Child 1 suffered injuries after he was placed in handcuffs after officers pushed his head into another surface, constituting excessive force.

106. The Sixth Circuit has also held that lifting someone by handcuffs constitutes excessive force. In *Solovy v. Morabito*, the Sixth Circuit held that, when officers picked up someone they handcuffed from the ground by his handcuffs “resulting in ‘agonizing pain,’” it constituted excessive force. *Solovy v. Morabito*, 375 F. App’x 521, 526–27 (6th Cir. 2010). “The method Sergeant Carroll used to lift Solovy—pulling the chains of handcuffs secured behind Solovy’s back to hoist his body weight—was almost guaranteed to cause substantial pain... .” *Id.* at 527. The court held that it was clearly established that this behavior constituted excessive force, denying the officers’ bid for qualified immunity.

107. “Cases in this circuit clearly establish the right of people who pose no safety risk to the police to be free from gratuitous violence during arrest.” *Shreve v. Jessamine Cnty. Fiscal Ct.*, 453 F.3d 681, 688 (6th Cir. 2006). Child 1, a 13-year-old boy who weighed 70 pounds, posed no safety risk to Parma police officers. And yet they perpetrated gratuitous violence against him while he was handcuffed.

CLAIM 1
FOURTH AMENDMENT VIOLATION—EXCESSIVE-FORCE
UNDER 42 U.S.C. § 1983
(AGAINST DEFENDANTS SOPKO, BARTULOVIC, AND FRINZL)

108. Plaintiff incorporates all previous allegations.

109. To prevail on a claim under 42 U.S.C. § 1983, Plaintiff must show (1) that he was deprived of a right secured by the Constitution or laws of the United States and (2) that the deprivation was caused by a person acting under color of law.

110. The use of excessive force implicates the Fourth Amendment's prohibition against unreasonable seizure.

111. It violates the Fourth Amendment's protections for an officer to use excessive force against an individual.

112. Officers Sopko, Bartulovic, and Frinzl all purposefully or knowingly used objectively unreasonable force against Child 1, consistent with the City of Parma's custom, policy, pattern, and practice of using excessive force on handcuffed arrestees.

113. Officer Frinzl purposefully wrenched Child 1's arms backward into an unnatural angle while handcuffed.

114. Officers Bartulovic and Frinzl purposefully and unnecessarily smashed Child 1's face into a stone wall, dragging him across it and causing permanent injury.

115. Officers Bartulovic, Frinzl, and Sopko purposefully suspended Child 1 in the air by his hands and feet, wrenching his shoulders at a painful, unnatural angle and suspending all his weight from them.

116. And Officer Frinzl knowingly or purposefully pushed Child 1 backward over a bench and into a wall, causing him to hit his head.

117. The officers' use of this force was unnecessary, gratuitous, and objectively unreasonable. Child 1, a 13-year-old boy weighing only 70 pounds, was handcuffed for most of these interactions and could not defend himself or evade the officer's assaults. The force used against him was greater than reasonably necessary to secure a child.

118. The officers' use of force against Child 1 caused him unreasonable physical, mental, and emotional pain.

119. Defendant Frinzl's and Bartulovic's use of excessive force when they smashed Child 1's face into a wall was premeditated. The pair had to actively duck under police tape to reach the wall.

120. The officers assaulted Child 1 with malicious intent to cause pain, consistent with the City of Parma's established custom, policy, pattern, and practice of condoning gratuitous violence against arrestees.

121. No one could have thought that the force used against Child 1 was reasonably necessary. Defendants' use of excessive force is, however, entirely consistent with the city's culture of abuse and violence toward arrestees.

122. As a direct and proximate result of Defendants' unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

123. Defendants' acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this unlawful conduct.

CLAIM 2
FIRST AMENDMENT RETALIATION
UNDER 42 U.S.C. § 1983
(AGAINST OFFICER FRINZL AND THE CITY OF PARMA)

124. Plaintiff incorporates all previous allegations.

125. Child 1 engaged in speech protected by the First Amendment when he called Officer Frinzl names.

126. No reasonable officer would believe that name-calling constitutes a true threat, which is only conveyed “where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence.” *Virginia v. Black*, 343, 359 (2003).

127. Child 1 was only engaged in some school-yard antics. He neither called for violence nor conveyed an intent to commit an unlawful act of violence. He only called Officer Frinzl a “ho.”

128. Any reasonable officer would know that “the First Amendment protects a significant amount of verbal criticism and challenge directed at police officers.” *Greene v. Barber*, 310 F.3d 889, 896 (6th Cir. 2002).

129. No reasonable officer would believe Child 1’s speech or conduct was “likely to produce a clear and present danger of a serious substantive evil that rises far above public inconvenience.” *City of Houston v. Hill*, 482 U.S. 451, 461 (1987). None of Child 1’s statements rose to the level of “fighting words” which “by their very utterance inflict injury or tend to incite an immediate breach of the peace.” *Chaplinsky v. New Hampshire*, 315 U.S. 568, 572 (1942).

130. Officer Frinzl was substantially motivated by Child 1’s speech to push him backward over a bench and into a wall.

131. As a direct and proximate result of Defendant’s unlawful, sadistic conduct, Child

1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

132. Defendant's acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendant and others from engaging in this unlawful conduct.

CLAIM 3
MONELL LIABILITY UNDER 42 U.S.C. § 1983—EXCESSIVE FORCE, FIRST AMENDMENT
RETALIATION
(AGAINST DEFENDANT CITY OF PARMA)

133. Plaintiff incorporates all previous allegations.

134. Defendant City of Parma has a custom, policy, practice, or usage of using excessive force against arrestees, including against those who are already handcuffed, like Child 1. This custom, policy, practice, or usage was the moving force behind the excessive force officers Sopko, Bartulovic, and Frinzl used on Child 1.

135. Defendant City of Parma also has a custom, policy, practice, or usage of violently retaliating against citizens for their speech critical of its police officers, like in which Child 1 engaged. This custom, policy, practice, or usage was the moving force behind the excessive force in retaliation for speech Officer Frinzl used on Child 1.

136. This pattern or practice is demonstrated, in part, by a long series of cases filed in federal court against the city and its law-enforcement officers:

- *Mintina v. City of Parma, et al.*, No. 1:22-cv-01216. After doing a peaceful custody exchange at the Parma police station, Parma police officers tackled Mintina to the ground and twisted her arms and wrists. They brought her into an interrogation room, where they groped her and slammed her against a wall. The only accusation officers made against Mintina before assaulting her was that she wasn't allowed to video her custody exchange.

- *Damra, et al. v. Cornachio, et al.*, 1:00-cv-03009-LW. Parma police officers pulled the plaintiffs over for a traffic stop with guns drawn, pulled them from the car without communicating, and threw them on the ground. Officers then kicked, punched, and stomped them.
- *McGrath v. Farinacci, et al.*, 1:06-cv-00578-DAP. Parma officers went to the plaintiff's home to serve a misdemeanor traffic warrant on his brother. Parma officers forced their way into the plaintiff's home. The plaintiff put his hands in the air to surrender, but officers threw him to the ground and beat him, giving him a concussion, facial swelling, a broken nose, bleeding, and bruising.
- *Franz, et al. v. City of Parma, et al.*, 1:08-cv-00177-JG. Parma police pulled the plaintiff over for failing to use a turn signal. Officers ordered one plaintiff out of the car for asking for a badge number, threw him to the ground, and arrested him. Officers also arrested the passenger for screaming for help.
- *Rababy v. City of Parma, et al.*, 1:08-cv-02422-DAP. Parma police were called to an argument between an elderly man and his adult daughter-in-law. Parma police handcuffed him, then threw him to the floor. Later, they pushed him face first through two sets of doors. The plaintiff suffered a broken nose, broken ribs, a concussion, and bruised wrists.
- *Block v. City of Parma, et al.*, 1:11-cv-00001-LW. The plaintiff was a 13-year-old girl who stopped on her way home to watch other kids fight. Parma police lifted her off the ground, slammed her down, and sat on her back. They then arrested her. While taking her to the police cruiser, they smashed her head against it.
- *Zaccardelli v. Schuld, et al.*, 1:13-cv-02423-SO. The plaintiff was pulled out of his car and thrown to the ground. Officers kicked and punched him, fracturing his skull, face, and ribs.
- *Faiken v. City of Parma, et al.*, 1:04-cv-00293-JMM. The plaintiff was a security employee at a bowling alley who escorted a patron out. Parma police violently tackled him and threw him to the ground, beating, kicking, and punching him.
- *Purnell, et al. v. City of Parma, et al.*, 1:03-cv-02595-LW. The plaintiff walked his dog outside Parma Police Department. Officers confiscated his dogs, used excessive force against The plaintiff, and then arrested him.
- *Petry v. City of Parma, et al.*, 1:13-cv-01667-LW. EMS responded after the plaintiff had a seizure in his home. Parma police tased the plaintiff multiple times and arrested him.

- *Slupski v. Dobeck, et al.*, 1:08-cv-00813-SO. Parma police went to the plaintiff's home for a 9-1-1 hang up. The plaintiff told them no one called 9-1-1. Parma police demanded to see his ID, snatched it from him, and then arrested him for asking a question.
- *Bartkiewicz v. City of Parma, et al.*, 1:16-cv-00995-DAP. Parma Police tackled and threw to the ground a plaintiff with known mental-health issues even though he was complying with officer's requests.

137. Like the plaintiffs in those cases, Child 1 made the unfortunate mistake of making a Parma Police officer angry with his speech, and they then subjected him to retaliatory excessive force and detained and attacked him.

138. This ongoing behavior, which spans decades, is so permanent and well settled that it constitutes the City of Parma's custom, policy, practice, or usage.

139. This policy, practice, custom, or usage was the moving force behind Defendants' assault on Child 1.

140. As a direct and proximate result of the Defendant officers' unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendant City of Parma is liable, including, but not limited to, mental, emotional, and physical pain and suffering.

CLAIM 4
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1) AND COMPLICITY AND
AIDING AND ABETTING UNDER R.C. 2923.03
R.C. 2903.13 (ASSAULT)
(AGAINST DEFENDANTS BARTULOVIC AND FRINZL)

141. Plaintiff incorporates all previous allegations.

142. R.C. 2307.60 provides: "Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 "independently authorize[s] a civil action for damages caused by criminal acts." *Jacobson v.*

Kaforey, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, 161 N.E.3d 603, ¶ 11.

143. Under R.C. 2903.13(A), “No person shall knowingly cause or attempt to cause physical harm to another.” R.C. 2903.13(A)

144. Officer Bartulovic and Officer Frinzl attempted to harm, and indeed did harm, Child 1 when they smashed Child 1’s face into a stone wall, leaving scratches and permanent scars.

145. R.C. 2923.03 criminalizes various forms of complicity, including conspiring with another to commit an offense, aiding and abetting another, and causing an otherwise innocent person to commit an offense.

146. Defendants were complicit with one another in plotting and performing these actions.

147. As a direct and proximate result of Defendants’ unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

148. Defendants’ acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this unlawful conduct.

CLAIM 5
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1) AND COMPLICITY AND
AIDING AND ABETTING UNDER R.C. 2923.03
R.C. 2903.13 (ASSAULT)
(AGAINST DEFENDANTS SOPKO, BARTULOVIC, AND FRINZL)

149. Plaintiff incorporates all previous allegations.

150. R.C. 2307.60 provides: “Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 “independently authorize[s] a civil action for damages caused by criminal acts.” *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, 161 N.E.3d 603, ¶ 11.

151. Under R.C. 2903.13(A), “No person shall knowingly cause or attempt to cause physical harm to another.” R.C. 2903.13(A)

152. Officers Bartulovic, Frinzi, and Sopko attempted to harm, and indeed did harm, Child 1 they carried him by his arms, handcuffed behind his back, causing severe pain to his shoulders, and lifted his feet off the ground, suspending his weight from his wrenched shoulders.

153. R.C. 2923.03 criminalizes various forms of complicity, including conspiring with another to commit an offense, aiding and abetting another, and causing an otherwise innocent person to commit an offense.

154. Defendants were complicit with one another in plotting and performing these actions.

155. As a direct and proximate result of Defendants’ unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

156. Defendants’ acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this unlawful conduct.

CLAIM 6
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1)
R.C. 2903.13 (ASSAULT)
(AGAINST DEFENDANT FRINZL)

157. Plaintiff incorporates all previous allegations.

158. R.C. 2307.60 provides: “Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 “independently authorize[s] a civil action for damages caused by criminal acts.” *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, 161 N.E.3d 603, ¶ 11.

159. Under R.C. 2903.13(A), “No person shall knowingly cause or attempt to cause physical harm to another.” R.C. 2903.13(A)

160. Officer Frinzl attempted to harm, and indeed did harm, Child 1 he pushed him backward over a bench and into a wall, causing Child 1 to hit a wall.

161. As a direct and proximate result of Defendant’s unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

162. Defendant’s acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendant and others from engaging in this unlawful conduct.

CLAIM 7
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1) AND COMPLICITY AND
AIDING AND ABETTING UNDER R.C. 2923.03
R.C. 2903.13 (FELONIOUS ASSAULT)
(AGAINST DEFENDANTS BARTULOVIC AND FRINZL)

163. Plaintiff incorporates all previous allegations.

164. R.C. 2307.60 provides: “Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 “independently authorize[s] a civil action for damages caused by criminal acts.” *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under R.C. 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, ¶ 11.

165. Under R.C. 2903.11, “No person shall knowingly ... cause serious physical harm to another.” R.C. 2903.11(A)(1).

166. Officers Bartulovic and Frinzl attempted to harm, and indeed did harm, Child 1 when they smashed Child 1’s face into a stone wall, leaving scratches and permanent scars.

167. Officers Bartulovic and Frinzl caused serious physical harm to Child 1, disfiguring him with permanent scars on his face.

168. R.C. 2923.03 criminalizes various forms of complicity, including conspiring with another to commit an offense, aiding and abetting another, and causing an otherwise innocent person to commit an offense.

169. Defendants were complicit with one another in plotting and performing these actions.

170. As a direct and proximate result of Defendants’ unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which

Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

171. Defendants' acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this unlawful conduct.

CLAIM 8
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1) AND COMPLICITY AND
AIDING AND ABETTING UNDER R.C. 2923.03
R.C. 2919.22 (ENDANGERING CHILDREN)
(AGAINST DEFENDANTS BARTULOVIC AND FRINZL)

172. Plaintiff incorporates all previous allegations.

173. R.C. 2307.60 provides: "Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 "independently authorize[s] a civil action for damages caused by criminal acts." *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, ¶ 11.

174. Under R.C. 2919.22, "no person ... having custody or control ... of a child under eighteen years of age ... shall create a substantial risk to the health or safety of the child, by violating a duty of care, protection, or support." R.C. 2919.22(A).

175. Under R.C. 2919.22(B), "No person shall do any of the following to a child under eighteen years of age or a child with a mental or physical disability under twenty-one years of age: (1) Abuse the child; (2) Torture or cruelly abuse the child." R.C. 2919.22(B).

176. Officer Bartulovic and Officer Frinzl created a substantial risk to Child 1's health and safety and abused or tortured Child 1 when they smashed Child 1's face into a stone wall, leaving scratches and permanent scars.

177. R.C. 2923.03 criminalizes various forms of complicity, including conspiring with another to commit an offense, aiding and abetting another, and causing an otherwise innocent person to commit an offense.

178. Defendants were complicit with one another in plotting and performing these actions.

179. As a direct and proximate result of Defendants' unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

180. Defendants' acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this unlawful conduct.

CLAIM 9
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1) AND COMPLICITY AND
AIDING AND ABETTING UNDER R.C. 2923.03
R.C. 2919.22 (ENDANGERING CHILDREN)
(AGAINST DEFENDANTS SOPKO, BARTULOVIC, AND FRINZL)

181. Plaintiff incorporates all previous allegations.

182. R.C. 2307.60 provides: "Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 "independently authorize[s] a civil action for damages caused by criminal acts." *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, ¶ 11.

183. Under R.C. 2919.22, "no person ... having custody or control ... of a child under eighteen years of age ... shall create a substantial risk to the health or safety of the child, by

violating a duty of care, protection, or support.” R.C. 2919.22(A).

184. Under R.C. 2919.22(B), “No person shall do any of the following to a child under eighteen years of age or a child with a mental or physical disability under twenty-one years of age: (1) Abuse the child; (2) Torture or cruelly abuse the child.” R.C. 2919.22(B).

185. Officers Bartulovic, Frinzl, and Sopko created a substantial risk to Child 1’s health and safety and abused or tortured Child 1 when they carried Child 1 by his arms, handcuffed behind his back, causing severe pain to his shoulders, and lifted his feet, suspending his weight from his wrenched shoulders.

186. R.C. 2923.03 criminalizes various forms of complicity, including conspiring with another to commit an offense, aiding and abetting another, and causing an otherwise innocent person to commit an offense.

187. Defendants were complicit with one another in plotting and performing these actions.

188. As a direct and proximate result of Defendants’ unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

189. Defendants’ acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this unlawful conduct.

CLAIM 10
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1)
R.C. 2919.22 (ENDANGERING CHILDREN)
(AGAINST DEFENDANT FRINZL)

190. Plaintiff incorporates all previous allegations.

191. R.C. 2307.60 provides: “Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 “independently authorize[s] a civil action for damages caused by criminal acts.” *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, ¶ 11.

192. Under R.C. 2919.22, “no person ... having custody or control ... of a child under eighteen years of age ... shall create a substantial risk to the health or safety of the child, by violating a duty of care, protection, or support.” R.C. 2919.22(A).

193. Under R.C. 2919.22(B), “No person shall do any of the following to a child under eighteen years of age or a child with a mental or physical disability under twenty-one years of age: (1) Abuse the child; (2) Torture or cruelly abuse the child.” R.C. 2919.22(B).

194. Officer Frinzl created a substantial risk to Child 1’s health and safety and abused or tortured Child 1 when he pushed Child 1 backward over a bench and into a wall, causing him to hit his head.

195. As a direct and proximate result of Defendant’s unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

196. Defendant’s acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendant and others from engaging in this unlawful conduct.

CLAIM 11
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1) AND COMPLICITY AND
AIDING AND ABETTING UNDER R.C. 2923.03
R.C. 2921.45 (INTERFERING WITH CIVIL RIGHTS)
(AGAINST DEFENDANTS SOPKO, BARTULOVIC, AND FRINZL)

197. Plaintiff incorporates all previous allegations.

198. R.C. 2307.60 provides: “Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 “independently authorize[s] a civil action for damages caused by criminal acts.” *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, ¶ 11.

199. Under R.C. 2921.45, “No public servant, under color of the public servant's office, employment, or authority, shall knowingly deprive, or conspire or attempt to deprive any person of a constitutional or statutory right.”

200. The officers violated Child 1’s civil rights when they used excessive force on him in violation of his Fourth Amendment rights.

201. The officers violated Child 1’s statutory rights when they committed the various statutory criminal acts against him alleged in this complaint.

202. R.C. 2923.03 criminalizes various forms of complicity, including conspiring with another to commit an offense, aiding and abetting another, and causing an otherwise innocent person to commit an offense.

203. Defendants were complicit with one another in plotting and performing these actions.

204. As a direct and proximate result of Defendants’ unlawful conduct, Child 1

suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

205. Defendants' acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this unlawful conduct.

CLAIM 12
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1)
R.C. 2921.45 (INTERFERING WITH CIVIL RIGHTS)
(AGAINST DEFENDANT FRINZL)

206. Plaintiff incorporates all previous allegations.

207. R.C. 2307.60 provides: "Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 "independently authorize[s] a civil action for damages caused by criminal acts." *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, ¶ 11.

208. Under R.C. 2921.45, "No public servant, under color of the public servant's office, employment, or authority, shall knowingly deprive, or conspire or attempt to deprive any person of a constitutional or statutory right."

209. Officer Frinzl violated Child 1's civil rights when he retaliated against Child 1 for his speech, which was protected under the First Amendment.

210. As a direct and proximate result of Defendant's unlawful conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

211. Defendant's acts were willful, egregious, malicious, and worthy of substantial

sanction to punish and deter Defendant and others from engaging in this unlawful conduct.

CLAIM 13
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1) AND COMPLICITY AND
AIDING AND ABETTING UNDER R.C. 2923.03
R.C. 2921.13 (FALSIFICATION)
(AGAINST DEFENDANT FRINZL)

212. Plaintiff incorporates all previous allegations.

213. R.C. 2307.60 provides: “Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 “independently authorize[s] a civil action for damages caused by criminal acts.” *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, ¶ 11.

214. Under R.C. 2921.13, “No person shall knowingly make a false statement ... when any of the following applies: ... (2) the statement is made with purpose to incriminate another. (3) the statement is made with purpose to mislead a public official in performing the public official’s official function.” R.C. 2921.13(A)(2–3).

215. Officer Frinzl knowingly made a false statement when he, while on body camera, stated that Child 1 “kicked me in the balls like eight times.”

216. Officer Frinzl intended to incriminate Child 1 by lying about him assaulting a police officer.

217. Assaulting a police officer is a crime.

218. Officer Frinzl also made this statement to mislead prosecutorial authorities in performing their official function. Indeed, Child 1 was later charged with assaulting Officer Frinzl.

219. As a direct and proximate result of Defendant's unlawful conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendant is liable, including, but not limited to, mental, emotional, and physical pain and suffering.

220. Defendant's acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendant and others from engaging in his unlawful conduct.

CLAIM 14
CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1)
R.C. 2921.12 (TAMPERING WITH EVIDENCE)
(AGAINST DEFENDANT FRINZL)

221. Plaintiff incorporates all previous allegations.

222. R.C. 2307.60 provides: "Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 "independently authorize[s] a civil action for damages caused by criminal acts." *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, ¶ 11.

223. Under R.C. 2921.12 (tampering with evidence), "[n]o person, knowing that an official proceeding or investigation is in progress, or is about to be or likely to be instituted, shall ... (2) make, present, or use any record, document, or thing, knowing it to be false and with purpose to mislead a public official who is or may be engaged in such proceeding or investigation, or with the purpose to corrupt the outcome of any such proceeding or investigation." R.C. 2921.12(A)(2).

224. Officer Frinzl, knowing that Parma Police were conducting an investigation and that the department would refer Child 1 for prosecution—an official proceeding—made a false

record with the purpose to mislead prosecutors.

225. Officer Frinzl intended to incriminate Child 1 by lying about him assaulting a police officer.

226. Assaulting a police officer is a crime.

227. Officer Frinzl made this statement to mislead prosecutorial authorities in performing their official function. Indeed, Child 1 was later charged with assaulting Officer Frinzl.

228. As a direct and proximate result of Defendant's unlawful conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendant is liable, including, but not limited to, mental, emotional, and physical pain and suffering.

229. Defendant's acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendant and others from engaging in his unlawful conduct.

CLAIM 15

CIVIL LIABILITY FOR CRIMINAL ACTS UNDER R.C. 2307.60(A)(1) AND COMPLICITY AND AIDING AND ABETTING UNDER R.C. 2923.03

R.C. 2921.22(A)(1) (FAILURE TO REPORT A CRIME) (AGAINST DEFENDANTS SOPKO, BARTULOVIC, AND FRINZL)

230. Plaintiff incorporates all previous allegations.

231. R.C. 2307.60 provides: "Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action. R.C. 2307.60(A)(1). Section 2307.60 "independently authorize[s] a civil action for damages caused by criminal acts." *Jacobson v. Kaforey*, 149 Ohio St. 3d 398, 399 (2016). And no proof of an underlying criminal conviction is required when bringing a civil action under § 2307.60. *Buddenberg v. Weisdack*, 161 Ohio St. 3d 160, 2020-Ohio-3832, ¶ 11.

232. Under R.C. 2921.22(A)(1) (failure to report a crime), "no person, knowing that a

felony has been or is being committed, shall knowingly fail to report such information to law enforcement authorities.”

233. Felonious assault, which Officers Frinzl and Bartulovic engaged in when they scraped Child 1’s face against the stone wall, is a felony.

234. Each officer failed to report the crimes of their fellow officers.

235. R.C. 2923.03 criminalizes various forms of complicity, including conspiring with another to commit an offense, aiding and abetting another, and causing an otherwise innocent person to commit an offense.

236. Defendants were complicit with one another in plotting and performing these actions.

237. As a direct and proximate result of Defendants’ unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

238. Defendants’ acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this unlawful conduct.

CLAIM 16
CIVIL ASSAULT
(AGAINST DEFENDANTS SOPKO, BARTULOVIC, AND FRINZL)

239. Plaintiff incorporates all previous allegations.

240. Officers Sopko’s, Frinzl’s, and Bartulovic’s intentional actions caused Child 1 repeated reasonable apprehension of an immediate harmful or offensive contact.

241. As a direct and proximate result of Defendants’ unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which

Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

242. Defendant City of Parma is vicariously liable for its officers' acts, which were undertaken in the scope and course of employment. Officers Sopko, Frinzl, and Bartulovic were the city's agents.

243. Defendants' acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this type of unlawful conduct.

CLAIM 17
CIVIL BATTERY
(AGAINST DEFENDANTS SOPKO, BARTULOVIC, AND FRINZL)

244. Plaintiff incorporates all previous allegations.

245. Officers Sopko, Frinzl, and Bartulovic intentionally and repeatedly caused harm or offensive contact to Child 1 without his consent.

246. As a direct and proximate result of Defendants' unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

247. Defendant City of Parma is vicariously liable for its officers' acts, which were undertaken in the scope and course of employment. Officers Sopko, Frinzl, and Bartulovic were the city's agents.

248. Defendants' acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this type of unlawful conduct.

CLAIM 18
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(AGAINST DEFENDANTS SOPKO, BARTULOVIC, AND FRINZL)

249. Plaintiff incorporates all previous allegations.

250. In conducting themselves as they did, Officers Sopko, Bartulovic, and Frinzl either intended to cause emotional distress or knew or should have known that the actions taken would result in serious emotional distress to Plaintiff, a 13-year-old child.

251. Defendants' conduct toward Child 1, including, but not limited to, smashing his face against a stone wall, carrying him by his wrenched shoulders, and pushing him over a bench, went beyond all possible bounds of decency and was such that it could be considered intolerable in civilized society.

252. Defendants Frinzl's and Bartulovic's intentionality is also shown by their foul-mouthed cursing at the child, including calling him "a bitch" and telling him to "shut the fuck up." They were trying to inflict emotional distress on him.

253. As a direct and proximate result of Defendants' unlawful, sadistic conduct, Child 1 suffered and will continue to suffer economic and non-economic damages for which Defendants are liable, including, but not limited to, mental, emotional, and physical pain and suffering.

254. Defendant City of Parma is vicariously liable for its officers' acts, which were undertaken in the scope and course of employment. The officers were the city's agents.

255. Defendants' acts were willful, egregious, malicious, and worthy of substantial sanction to punish and deter Defendants and others from engaging in this type of unlawful conduct.

PRAYER FOR RELIEF

For the above reasons, Plaintiff respectfully requests the following relief from the Court:

- A. Declare that Defendants' acts and conduct constitute violations of state law;
- B. Enter judgment in Child 1's favor on all claims for relief;
- C. Award Child 1 full compensatory damages, both economic and non-economic, and including, but not limited to, pain and suffering, mental anguish, emotional distress, humiliation, reputational harm, and inconvenience that he has suffered and is reasonably certain to suffer in the future;
- D. Award Child 1 punitive damages as appropriate for all intentional and malicious violations of state-law rights;
- E. Award Child 1 liquidated damages as appropriate under Ohio law;
- F. Award Child 1 pre-judgment and post-judgment interest at the highest lawful rate;
- G. Award Child 1 his reasonable attorney fees and all other costs of this suit (including expert fees);
- H. Award all other relief in law or equity to which Child 1 is entitled and that the Court deems equitable, just, or proper.

JURY DEMAND

Plaintiff Child 1 demands a trial by jury on all issues within this complaint.

Date: August 11, 2026

Respectfully submitted,

/s/ Subodh Chandra

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Attorneys for Plaintiff Child 1

Exhibit 1 is a flash drive containing a video excerpt of relevant bodycam footage and will be filed manually. All bodycam footage Plaintiff received from the Cuyahoga County Prosecutor's Office is also included on the flash drive.



City of Parma, Ohio

Parma Police Department
Department of Public Safety



440.887.7300 Telephone

5555 Powers Blvd. • Parma, Ohio 44129

440.887.7380 Fax

KEVIN RILEY
CHIEF OF POLICE

TIM DeGEETER
MAYOR

BOB COURY
SAFETY DIRECTOR

DATE: 29 MAY 2026

TO: Ptl. Mike Frinzi #514

FROM: Chief Kevin Riley #100

SUBJECT: Paid Administrative Leave

This is to inform you that you have been placed on paid administrative leave pending an investigation into an incident that occurred on August 13, 2025, in the juvenile holding room. You will be contacted at a later date by an administrator.


Kevin Riley
Chief of Police

EXHIBIT
2